IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.1278 OF 2006**

Mr.Anand Prataprai Kankaria...Petitioner

Vs.

The Municipal Corporation

of Greater Bombay & Anr. ..Respondents

Mrs.Vasanti S. Dighe, for the Petitioner

Mrs. A.K. Savla, for Respondent No.1.

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 14TH July,2006

P.C.

. It is not possible to consider the reliefs prayed for by the petitioner. Petitioner has already filed a suit being Suit No.1892 of 2000 for a declaration which is pending before this Court. Filing of the suit or the reliefs sought has nothing to do with the demand made by the Respondents. The petitioner is bound to comply with the demand made, irrespective whether the petitioner succeeds or not in the suit. Considering the above if the petitioner deposits with the respondents all arrears due within four weeks from today respondents not to proceed with the sale of the property. If, however, within the

said period the amount is not paid it will be open to the respondents to proceed with the steps that they have taken.

. With the above observation petition stands disposed of.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**